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C O N F I D E N T I A L SECTION 01 OF 02 BERLIN 000025

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STATE FOR EUR, S/CT, INR, L

E.O. 12958: DECL: 01/07/2020

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SUBJECT: BUNDESTAG TO EXAMINE CIA/BLACKWATER ASSASSINATION
PLOT ALLEGATIONS

REF: 2009 BERLIN 1590

Classified By: Charge d'Affaires Greg T. Delawie for Reasons 1.4 (b) and (d).

¶1. (C) SUMMARY: On January 27 the Bundestag Interior Affairs Committee will examine allegations that a CIA team tracked a suspected al-Qaida supporter in Hamburg and planned to assassinate him before eventually aborting the mission. The story originated from a recent Vanity Fair article on Blackwater/Xe founder Erik Prince. Separately, Hamburg state prosecutors are examining if there is enough information concerning the allegations to open a formal criminal investigation, and Hamburg's Justice and Interior Senators indicate they will request the federal government to ask the USG for an explanation. MFA contacts indicate that the issue is receiving considerable attention in the German government, and the inter-agency is now considering how they will respond if/when Hamburg (or federal) prosecutors ask to forward a formal legal assistance request to the U.S. The story is gathering momentum in the German media and is distracting from our efforts to strengthen bilateral cooperation on priority issues such as Afghanistan and Iran. END SUMMARY

¶2. (SBU) The Vanity Fair story (see link below) on Blackwater/Xe founder and CEO Erik Prince is generating considerable German media coverage. According to the article a Blackwater-trained CIA team was dispatched to Hamburg to identify and assassinate Syrian-German national Mamoun Darkazanli, who is alleged to have had connections with 9/11 Hamburg cell members, including Mohammed Atta. (Note: German authorities arrested Darkazanli in October 2004 on the basis of a Spanish warrant, but he was freed in July 2005 after a ruling by the Federal Constitutional Court. End Note). The Vanity Fair article alleges that the Hamburg mission was part of a President Bush-authorized post-9/11 decision to identify and kill al-Qaida terrorists and supporters around the world. The article claims the team operated in Hamburg for weeks without the knowledge of the CIA-station in Germany or the German government and contends that the mission was eventually aborted due to a "lack of political will."

¶3. (SBU) German parliamentarians from all parties have expressed alarm at the allegations. Wolfgang Bosbach (CDU), the influential chairman of the Bundestag Interior Affairs Committee, was quoted in the press: "If it turns out that this operation existed and the U.S. government knew about it

but did not inform our government, then this would be a serious incident, which, of course, would burden German-U.S. relations." Parliamentarian Dieter Wiefelspuetz, the SPD's spokesperson for domestic affairs said: "If this is true, then it will have repercussions in Berlin." The Green Party parliamentarian Hans-Christian Stroebale noted: "These activities of U.S. intelligence services, also the activities of their front organizations, must come to an end in Germany."

It is outrageous that there were allegedly plans to kill people in Germany." At the request of the Left Party, Bosbach has put the issue on the agenda of the January 27 meeting of the Interior Affairs Committee. The exact nature of this debate and who Bosbach will invite to testify are currently open.

¶4. (SBU) Media report that the Hamburg state prosecutor's office is currently examining whether there is enough information to open a formal criminal investigation (e.g., on charges of conspiracy to commit murder). Hamburg Justice Senator Till Steffen (Green Party) and Hamburg Interior Senator Ahlhaus (CDU) are urging the federal government to request the USG to clarify the matter. Furthermore, a number of parliamentarians have suggested that the Bundestag's Parliamentary Control Committee (PKGr), which monitors intelligence issues, should take up the issue.

¶5. (C) On the margins of an unrelated call, Stefan Delfs, the Deputy Director of the MFA's Office for International Criminal Law, told Global Affairs Officer that this issue is

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receiving considerable attention in the German government. Delfs said that it is also possible that the federal prosecutor (Generalbundesanwalt, GBA; in Karlsruhe) might open a separate investigation as the activities of foreign intelligence services on German territory falls under the GBA's purview. Delfs indicated that the paucity of information concerning the allegations makes it difficult to judge the accuracy or substance of the claims. German officials, he noted, recognize it is unlikely the USG would provide any concrete information about the allegations were Germany to make a formal request. Delfs explained that approval by both the MFA and Federal Justice Ministry would be required, were either Hamburg state prosecutors or the GBA to recommend that a formal legal assistance request be sent to the USG. Germany's prosecutors are independent, and Delfs said much depends on the extent prosecutors intend to investigate the issue. He said it is possible that the lack of information will quickly stifle an investigation by prosecutors/law enforcement.

¶6. (C) COMMENT: This issue has the potential to become an unwanted distraction at a time when we are seeking German cooperation and support on multiple fronts, from Afghanistan to Guantanamo detainees to a number of important security-related initiatives such as the Terrorist Finance Tracking Program and other bilateral data sharing initiatives (see reftel). Although we hope this story will soon fade from the headlines, the fact that it is proceeding on multiple tracks and has seized the interest of numerous parliamentarians suggests that it may linger. Interior Committee Chair Bosbach has been outspoken on the issue and could use his position to keep the item on the Committee's agenda. Another unwelcome development would be if the PKGr were to take up the issue and start a committee of inquiry similar to their three-year long examination of extraordinary renditions during the previous legislative session. Experience has shown that parliamentarians seek to exploit and perpetuate these investigations as a means of raising their political visibility and the sensitive nature of the issues on hand guarantees continued media attention.

17. (U) The Vanity Fair article is available online at:

www.vanityfair.com/politics/features/2010/01/blackwater-201001
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